

U.S. Appln. No. 10/680,473
Response and Amendment dated June 13, 2006
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REMARKS

The Office Action dated March 23, 2006 has been received and carefully reviewed. It is submitted that by this response all bases of rejection and objection are traversed. Upon entry of this response, Claims 1-12 and 14-19 remain in the application. Claims 1, 5, 7, 8, 14 and 17 have been amended. Claim 13 has been canceled. Reconsideration is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. Claim 8 used the term "high" and has been amended to quantify the value. Support for this amendment can be found in paragraph 0034, where high melting point alcohols are defined as alcohols having 12 or more carbons, and where 1-dodecanol has a melting point of 26°C, from the CRC Handbook of Chemistry and Physics, 56th Edition, 1975-1976.

Claims 1-3 stand rejected under 35 U.S.C. §102 as being anticipated by Noveon. Noveon teaches a solid fuel gel comprising Carbopol EZ-3, water and methanol. Claim 1 has been amended to better define the invention. Support for this amendment can be found in paragraph 0041 and the original claims. The amended Claim 1 provides for an invention comprising a solid fuel and a solid oxidant. The use of a solid oxidant provides for keeping the fuel and oxidant in a closed environment, thereby minimizing the incidence of fuel leakage. Noveon does not teach the use of a solid oxidant, therefore it is submitted that the amended Claim 1 is not taught, anticipated, or rendered obvious by the reference. Claims 2 and 3 depend, either directly or indirectly, from Claim 1 and through this dependence are not taught, anticipated, or rendered obvious by the reference.

Claims 1-4 and 6 stand rejected under 35 U.S.C. §102 as being anticipated by Monick (US 3,183,068). Monick teaches a solid fuel gel comprising 60-95% alcohol and 2-6% of a gelling agent. Claim 1 has been amended to better define the invention, and provides for a solid fuel comprising a solid fuel and a solid oxidant. Monick does not teach the use of a solid oxidant, therefore it is submitted that the amended Claim 1 is not taught, anticipated, or rendered obvious by the reference, therefore it is submitted that the amended Claim 1 is not taught, anticipated, or rendered obvious by the reference. Claims

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2-4 and 6 depend, either directly or indirectly, from Claim 1 and through this dependence are not taught, anticipated, or rendered obvious by the reference.

Claims 1, 9-12 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelshtain et al. (US 6,554,877). Finkelshtain et al. teaches the use of a liquid fuel for use in a fuel cell. Finkelshtain et al. also teaches the use of an auxiliary fuel component selected from metal hydrides, for their reduction capabilities, and believes that the auxiliary fuel contributes to the removal of CO and CO₂ from the anode. Finkelshtain et al. also uses an electrolyte in their fuel cell comprising KOH. However, Finkelshtain et al. does not teach a solid fuel, nor does Finkelshtain et al. teach the use of a solid oxidant, therefore it is submitted that the amended Claim 1 is not taught, or rendered obvious by the reference. Claims 9-12 and 19 depend, either directly or indirectly, from Claim 1 and through this dependence are not taught, anticipated, or rendered obvious by the reference.

Claim 4 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Noveon. The amended Claim 1 was discussed above with respect to Noveon and an argument was presented to overcome the rejection of Claim 1 with respect to Noveon. Claim 4 depends indirectly from Claim 1 and through this dependences is not taught, or rendered obvious by the reference.

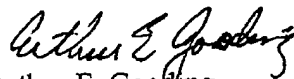
Claims 5, 7 and 13-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 7 and 17 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 5 has been made dependent from Claim 7, thereby becoming allowable as Claim 7 has been rewritten in independent form. Claim 13, which depends directly from Claim 1, has been canceled, but Claim 1 has been amended to include the limitations of Claim 13, and therefore Claim 1 overcomes the objection to Claim 13. Claims 14-16 depend from the amended Claim 1 and therefore overcome this objection. Claim 18 depends from the amended Claim 17 and therefore overcomes this objection.

In summary, Claims 1-12 and 14-19 remain in the application. Claims 1, 5, 7, 8, 14 and 17 have been amended. Claim 13 has been canceled. Remarks have been made pointing out the differences between the present invention and the prior art references

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traversing all of the Examiner's rejections and objections. Accordingly, in view of the remarks, applicants assert that Claims 1-10 and 12-19 meet all statutory requirements and respectfully request allowance of all pending claims. If the Examiner believes it would expedite prosecution of the above identified application he is cordially invited to contact applicants' attorney at the below listed telephone number.

Respectfully submitted,



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